

**Government of the District of Columbia**

**ZONING COMMISSION**



**ZONING COMMISSION ORDER NO. 783-A**

**Case No. 93-3C**

**(Consolidated PUD & Map Amendment @ 200 K Street, NE)**

**April 13, 1998**

On September 11, 1995, by Zoning Commission Order No. 783, the Zoning Commission approved the application of the 200 K Street Limited Partnership. The planned unit development ( PUD) site is located at 200 K Street, NE. The applicant proposed to construct a high-rise, mixed-use office and residential project. Zoning Commission Order No. 783 approved the consolidated PUD and related map amendment with certain, guidelines and standards.

One of the conditions in Z.C. Order No. 783 states, "The planned unit development approved by the Zoning Commission shall be valid for a period of two years from the effective date of this order. Within such time, an application must be filed for the building permit, as specified in Subsection 2409.1 of the Zoning Regulations. Construction shall start within 3 years of the effective date of this order."

Z.C. Order No. 783 became final and effective on October 27, 1995. The validity of that order was for two years, that is, until October 27, 1997.

On October 23, 1997, the applicant filed a request to extend the validity of Z.C. Order No. 783, pursuant to 11 DCMR 2406.10. The applicant requested an extension of time of two years, to allow construction to begin not later than October 27, 1999.

As the basis for the extension, the applicant cites the following:

I have, during the past two years, been seeking and negotiating with various persons and companies to fulfill the requirements contained within my PUD application. Because of my inability at present to have in-hand a commitment from a mortgage lender to fund this project, I am seeking an extension for an additional two years on the above case.

The District of Columbia Office of Planning (OP), by memorandum dated December 24, 1997 indicated, "At the time of the approval of the PUD and map change, the site was designated for medium-high density commercial and production and technical employment land uses on the 1989 Generalized Land Use Map of the Comprehensive Plan. The 1994 Generalized Land Use Map (as amended), did not change the above mentioned land use designation."

OP further concluded that the Zoning Regulations and Map and Comprehensive Plan have not changed for the subject site since the Zoning Commission approved the PUD and related map amendment in Order No. 783.

Pursuant to Section 2406.10 of the Zoning Regulations, the Commission may extend the validity of a PUD approval for good cause shown upon a request being made before the expiration of the approval.

On January 12, 1997, at its regular monthly meeting, the Commission considered the applicant's request for a two-year extension of the validity of the OP memorandum dated December 24, 1997.

The Zoning Commission received no comments from Advisory Neighborhood Commission 2A regarding this matter.

The Commission determined that an extension of the validity of the PUD is reasonable and would not adversely affect any party. The Commission believes that the applicant has made reasonable efforts to obtain financing for the project. The Commission also notes that both the Comprehensive Plan designation and the zoning for the site have remained the same since the Commission's initial approval.


The Commission believes that its proposed action to grant the request is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital, as amended.


In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders that the validity of Z.C. Order No. 783 be **EXTENDED** for a period of **TWO YEARS**; that is until October 27, 1999. Prior to the expiration of that time, the applicants shall file an application for a building permit, as specified in 11 DCRM 2406.8 and construction to start on or before October 27, 2000.

Vote of the Commission taken at the monthly meeting on January 12, 1998 4-0: (Jerrily R. Kress, Maybelle Taylor Bennett, Herbert M. Franklin and John G. Parsons to extend the validity of the PUD and related map amendment for TWO YEARS).

This order was adopted at the public meeting of April 13, 1998 by a vote of 3-0: (John G. Parsons, Jerrily R. Kress and Maybelle Taylor Bennett to adopt; Herbert M. Franklin, not present, not voting).

In accordance with 11 DCMR 3028, this order is final and effective upon publication in the District of Columbia Register; that is, on MAY 22 1998.

  
**JERRILY R. KRESS**  
Chairperson  
Zoning Commission

  
**SHERI M. PRUITT - WILLIAMS**  
Interim Director  
Office Of Zoning

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